

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FRANK BRETT,

Plaintiff,

v.

RICKY GERTZ, EARL GERTZ, and MR.

DAILEY,

Defendants.

CIVIL ACTION NO. 3:CV-12-1429

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

ORDER

NOW, this 10th day of October, 2012, upon review of Magistrate Judge Carlson's Report and Recommendation (Doc. 9) for clear error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 9) is **ADOPTED**.
- (2) The action is **TRANSFERRED** to the United States District Court for the Eastern District of Pennsylvania pursuant to 28 U.S.C. § 1406(a).
- (3) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo
United States District Judge